



**FEDERAL COMMUNICATIONS COMMISSION
ENFORCEMENT BUREAU
NORTHEAST REGION**

Philadelphia Office
One Oxford Valley Building, Suite 404
2300 East Lincoln Highway
Langhorne, Pennsylvania 19047
(215) 741-3016

November 25, 2013

Anthony Ciotti
Bristol, Pennsylvania

NOTICE OF UNLICENSED OPERATION

Case Number: EB-FIELDNER-13-00011782
Document Number: W201432400003

The Philadelphia Office received a complaint that you were operating your Citizens Band (CB) Station with excessive power and transmitting obscene and profane language on your CB station.

Between 7:00 a.m. and 7:30 a.m. on October 18, 2013 and October 21, 2013, agents of the Commission's Philadelphia Office monitored the transmissions from your CB Station on the frequency 27.185 MHz and observed you were transmitting obscene, indecent and profane words and one-way communications. Section 95.413(a)(2) of the Commission's rules (Rules)¹ states, "You must not use a CB station – To transmit obscene, indecent or profane words, language or meaning." Furthermore, Section 95.413(a)(4) of the Rules² states, "You must not use a CB station – To transmit one-way communications, except for emergency communications, traveler assistance, brief tests (radio checks) or voice paging."

Between 7:15 a.m. and 7:30 a.m. on October 18, 2013 and October 21, 2013, the agents also made over-the-air measurements with a spectrum analyzer of the transmissions from your CB Station on the frequency 27.185 MHz and found that your CB station was operating with excessive power. At 10:50 a.m. on October 21, 2013, the agents inspected your CB station and measured the output power of each CB transmitter and found that two of the three CB transmitters operated with excessive power.³ Under Section 95.410(c) of the Rules, you void

¹ 47 C.F.R. § 95.413(a)(2).

² 47 C.F.R. § 95.413(a)(4).

³ Your CB Station was comprised of the following CB Transmitters: a Cobra 148GTL (S/N 412557 FCC ID BB03K2148GTL) that had an output carrier power of 8.9 Watts, a Cobra 89GTL (S/N 83012964 FCC Data 310) that had an output carrier power of 6.4 Watts, and a Realistic TRC-427 (S/N 23059711 FCC Data 21-1534) that had an output carrier power of 2.5 Watts. We note that the over-the-air measurements taken on October 18, 2013 and October 21 2013 produced signal levels that were even greater than the levels that would be produced by the CB

your authority to operate your CB station if you use a transmitter which has carrier or peak envelope power in excess of that authorized.⁴

Operation of radio transmitting equipment without a valid FCC authorization or license is a violation of Section 301 of the Communications Act of 1934, as amended,⁵ and may subject the responsible parties to substantial monetary forfeitures, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment.⁶ Because unlicensed operation creates a danger of interference to important radio communications services and may subject the operator to severe penalties, this warning emphasizes the importance of complying strictly with these legal requirements.

You are hereby warned that operation of radio transmitting equipment without a valid radio station authorization constitutes a violation of the Federal laws cited above and could subject the operator to severe penalties, including, but not limited to, substantial monetary fines, *in rem* arrest action against the offending radio equipment, and criminal sanctions including imprisonment. (*see* 47 U.S.C. §§ 401, 501, 503 and 510).

UNLICENSED OPERATION OF THIS RADIO STATION MUST BE DISCONTINUED IMMEDIATELY.

You have ten (10) days from the date of this notice to respond with any evidence that you ceased transmitting one-way communications, ceased transmitting obscene, indecent, and profane words, language or meaning, and ceased transmitting with excessive power with your CB station. Your response should be sent to the address in the letterhead and reference the listed case and document number. Under the Privacy Act of 1974, 5 U.S.C. § 552a(e)(3), we are informing you that the Commission's staff will use all relevant material information before it to determine what, if any, enforcement action is required to ensure your compliance with FCC Rules. This will include any information that you disclose in your reply.

You may contact this office if you have any questions.

David C. Dombrowski
District Director
Philadelphia Office
Northeast Region
Enforcement Bureau

transmitters that you allowed agents to inspect on October 21, 2013, leading us to believe that you did not allow agents to inspect all of your CB transmitters.

⁴ 47 C.F.R. § 95.410(c).

⁵ 47 U.S.C. § 301.

⁶ *See* 47 U.S.C. §§ 401, 501, 503, 510.